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500.43301X00

September 19, 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

KATOU et al

Serial No.:

10/722,482

Filed:

November 28, 2003

For:

Optical Device, Optical Pickup And Optical Disk Apparatus

Group:

Examiner:

## <u>UNDER 37 CFR 1.97 & 1.98</u>

Mail Stop: DD

Commissioner For Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In the matter of the above-identified application, applicants are submitting herewith a copy of a communication from a foreign patent office in a counterpart foreign application and copies of the non-US patent documents as listed in the attached form equivalent to Form PTO-1449 for the Examiner's consideration.

This information disclosure statement is being submitted before the mailing date of a first office action on the merits and with the following certification specified in 37 CFR 1.97(e).

On information and belief, I hereby certify that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

To the extent the documents listed on the attached form equivalent to Form PTO-1449 are not in the English language, the requirement of 37 CFR 1.98(a)(3) for

a concise explanation of the relevance is satisfied by an English language version translation of the office action or an Abstract of the document.

It is respectfully requested that this information disclosure statement and the listed documents be considered by the Examiner.

Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 500.43301X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

Melvin Kraus

Registration No. 22,466

MK/jla (703) 312-6600 Attachments

## Sheet 1 of 1

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